

**PATENT
APPLICATION NO 09/611,996**

REMARKS

In the Office Action dated January 15, 2004, claims 1-20 are pending and have been rejected by the examiner. Accordingly, claims 1-20 are at issue

35 USC § 102

The Examiner has rejected claims 1-13, 15 and 17-20 under 35 U.S.C. 102(e) as being anticipated by Hunt et al. Applicants respectfully traverse this rejection.

Applicants have reviewed the Examiner's rejection under 35 USC § 102 in light of Hunt (US Patent 6,539,422), and respectfully disagree with the interpretation of the Hunt publication. Section 102 of the Patent Act requires that the alleged publication contain each and every limitation of the claim in question. See e.g. *RCA Corp. v. Applied Digital Data Systems*, 730 F.2d 1440, 1444 (Fed. Cir. 1984) (Anticipation is established only when a single prior art reference discloses each and every element of a claimed invention.) However, Hunt does not describe at least five distinct limitations of the independent claims of the present application and therefore does not anticipate such claims.

Claim 1 is directed to a method of providing a notification to an operator of an automation network. Claim 1 requires, among other limitations, "transmitting an object from said intelligent automation device to a receiving device operably connected to the network for notifying the operator, the object being responsive to the signal".

The Office Action states that Hunt discloses a network controller for receiving traps from data collection devices and sending objects representing the traps to client devices, citing to Figures 1-3 and columns 6-8 of Hunt. However, Hunt does not disclose the transmitting of "an object" as required by claim 1.

The only reference in Hunt within columns 6-8 to traps is at the top of column 7 which provides:

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SNMP also provides traps, or an unacknowledged message, sent asynchronously from the SNMP master agent 220 and subagents 211, 212 to the SNMP management support unit 210 to notify the SNMP management support unit 210 of an exception condition. SNMP traps allow the SNMP management support unit 210 to discover anomalous situations that might require intervention. SNMP primarily uses polling to gather information about a network node, such as the ADC platform 100, which produces traps that alert the management support unit 210 that additional polling is necessary. Since traps are unacknowledged, they cannot be used to replace SNMP polling.

As can be seen in the above text, the traps send messages between processes SNMP Subagents 211, 212, or SNMP Master Agent 220 and the SNMP System Management Support Unit 210 within the computing station 103 (see Figure 2). No further disclosure is provided. Accordingly, Hunt is missing two elements of the claim: it does not transmit outside of the computing station, nor does it transmit an object. Furthermore, there is no indication in Hunt of the transmission of an "object being responsive to the signal."

In addition, the message in Hunt at the top of column 7 is sent to a process for changing the polling frequency. It is not sent for the purpose of "notifying an operator", as also required in claim 1.

Finally, the preamble of claim 1 calls for "A method of providing notification to an operator of an **automation network**...". Accordingly, "the network" referred to in the body of the claim is an "automation network." See e.g., *Bell Communications v. Vitalink Communications*, 55 F.3d 615, 620 (Fed. Cir. 1995) (when a "claim drafter chooses to use both the preamble and the body to define the subject matter of the claimed invention, the invention so defined, and not some other, is the one the patent protects."). There is no reference in Hunt to an industrial automation environment. Instead, Hunt's description is of a commercial or retail type environment, which is quite different from an industrial automation environment. See Hunt column 1, lines 19-44.

Accordingly, Applicants respectfully submit that Hunt does not anticipate claim 1. Because claims 2-6 are dependent claims that are based upon claim 1 and share all of the

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limitations thereof, and since claim 1 is not anticipated by Hunt, then Applicants respectfully submit these dependant claims also can not be anticipated by Hunt.

Claim 7 is directed to a notification system for an automation network. Claim 7 requires, among other limitations "a receiving device operably connected to the automation network, wherein the intelligent automation device transmits the object to the receiving device to notify the operator".

Similar to the arguments made with respect to claim 1, the Office Action states that Hunt discloses a network controller for receiving traps from data collection devices and sending objects representing the traps to client devices, again citing to Figures 1-3 and columns 6-8 of Hunt. However, as set forth above, Hunt does not disclose the transmitting of objects.

Hunt is missing two elements of claim 7: it does not transmit outside of the computing station, nor does it transmit an object. Furthermore, there are no references in Hunt to "sensors," as is also required in two of the elements of claim 7.

In addition, the message referred to in Hunt at the top of column 7 is sent to a process for changing the polling frequency, not for the purpose of "notify[ing] an operator", as the claim requires.

Finally, similar to claim 1, claim 7 calls for "A notification system of an **automation network...**". There is no reference in Hunt to an industrial automation environment. Instead, Hunt's description is of a commercial or retail type environment, which is quite different from an industrial automation environment. See Hunt column 1 lines 19-44.

Accordingly, Applicants respectfully submit that Hunt does not anticipate claim 7. Because claims 8-13 and 15, are dependent claims that are based upon claim 7 and share all of the limitations thereof, and since claim 7 is not anticipated by Hunt, Applicants respectfully submit these dependant claims also can not be anticipated by Hunt.

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Claim 17 is also directed to a notification system for an automation network. Claim 17, among other limitations, requires "a receiving device operably connected to the intelligent automation device, wherein the intelligent automation device transmits the object to the receiving device". Similar to the discussion of the above claims, the Office Action states that Hunt discloses a network controller for receiving traps from data collection devices and sending objects representing the traps to client devices, again citing to Figures 1-3 and Columns 6-8. However, Hunt does not disclose the transmitting of "objects" as required in claim 17.

Accordingly, Hunt is missing two elements of claim 17. Hunt does not transmit outside of the computing station, nor does it transmit an object. In addition, the message in Hunt referred to at the top of column 7 is sent to a process for changing the polling frequency, not for the purpose of "notification", as the claim requires.

Finally, claim 17 calls for "A notification system of an automation network...". Again, there is no reference in Hunt to an industrial automation environment. Instead, Hunt's description is of a commercial or retail type environment, which is quite different from an industrial automation environment. See Hunt column 1 lines 19-44.

Accordingly, Applicants respectfully submit claim 17 is not anticipated by Hunt. Because claims 18-20, are dependent claims that are based upon claim 17 and share all of the limitations thereof, and since claim 17 is not anticipated by Hunt, Applicants respectfully submit these dependant claims also can not be anticipated by Hunt.

35 USC § 103

The Examiner has rejected claims 14 and 16 under 35 USC §103(a) as being unpatentable over Hunt in view of Lee (US Patent 6,336,137). Applicants respectfully traverse this rejection.

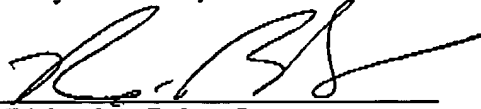
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As described above, Hunt has no applicability to the present invention, and is missing at least four elements required in claim 7, the independent claim upon which claims 14 and 16 depend. Lee does not provide these missing elements. Accordingly, Applicants respectfully submit that claim 7 is also allowable over the combination of Hunt in view of Lee. Because claims 14 and 16 depend on claim 7, Applicants also respectfully submit claims 14 and 16 are allowable over the combination of Hunt in view of Lee.

Conclusion

Accordingly, Applicants submit that, in light of the above remarks, claims 1-20 are in condition for allowance. Applicants respectfully request the Examiner to withdraw the rejections and to allow the claims to issue. The commissioner is authorized to charge deposit account 19-3875 (SAA-42) for any fees associated herein.

Respectfully submitted,

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